IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Crim. Appln. No. 940 of 2005

Manojkumar Poddar ..Petitioner

vs.

1. State of Maharashtra
and another ..Respondents

Smt.Ameeta Kuttikrishnan i/b Shri N.V.Pradhan for petitioner.
Shri V.B.Konde Deshmukh, A.P.P. for respondent no.1.
Shri Kezer Kharawala i/b M/s R.K.Associates for respondent no.2.

CORAM: A.M.KHANWILKAR J.
22nd December,2005

P.C.

1. Heard counsel for the parties.

2. Rule. Rule made returnable forthwith by consent. Shri Konde Deshmukh, A.P.P. waives notice for respondent no.1 and Shri Kharawala waives notice for respondent no.2. As short question is involved the application is taken up for hearing forthwith by consent.

3. Respondent no.2 lodged F.I.R. with Mulund Police Station against the petitioner for offence punishable under sec.408 read with 34 of I.P.C. After investigation charge sheet came to

be filed. By this petition, it is contended that the petitioner has complied with all the formalities including making necessary payment to the respondent society. Respondent society accepts this position. That statement is made on behalf of respondent no.2 on affidavit filed by Ranjan Kedar claiming to be the Chairman of Ralli Fan Workers Cooperative Credit Society Ltd. It is further stated in this affidavit that neither the members of the society nor the society have any grievance against the petitioner or intend to precipitate the matter further. In the circumstances, as the complainant is not interested in precipitating the criminal action against the petitioner and all matters have been amicably resolved between the parties and as the parties agree the application ought to succeed in the interest of justice. Accordingly the application is made absolute in terms of prayer clauses (a), (b) and (c). Order accordingly.